

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

KIMBERLEE VEN HOUSEN

Plaintiff,

Case No.: 20-CV-1097

v.

RV WORLD, INC OF NOKOMIS d/b/a
GERZENY'S RV WORLD,
WINNEBAGO INDUSTRIES, INC. and
MERCEDES-BENZ USA, LLC,

Defendants.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY

Plaintiff,

Case No.: 20-CV-1099

v.

WINNEBAGO INDUSTRIES, INC. and
MERCEDES-BENZ USA, LLC,

Defendants.

**DEFENDANT'S CIVIL L.R. 7(h) EXPEDITED NON-DISPOSITIVE MOTION TO
CONSOLIDATE E.D. WISCONSIN CASE # 20-CV-1097
AND E.D. WISCONSIN CASE # 20-CV-1099, PURSUANT TO FED.R.CIV.P. 42(a)**

Defendant Winnebago Industries, Inc, by its attorneys, Cade Law Group LLC, pursuant to Fed.R.Civ.P. 42(a), hereby submits this Local Rule 7(h) Expedited Non-Dispositive Motion for the Court to consolidate Eastern District of Wisconsin Case # 20-CV-1097 and Eastern District of Wisconsin Case # 20-CV-1099.

As grounds for this Motion, Winnebago states as follows:

1. On July 18, 2020, the case of *Kimberlee Ven Housen v. RV World, Inc of Nokomis d/b/a Gerzeney's RV World et al.*, Walworth County Case # 2020-CV-0307 (the "Ven Housen Lawsuit") was removed to the Eastern District of Wisconsin on the grounds of diversity jurisdiction.

2. On July 19, 2020, the case of *State Farm Mutual Automobile Insurance Company et al v. Winnebago Industries, Inc. et al.*, Walworth County Case # 2020-CV-03127 (the "State Farm Lawsuit") was removed to the Eastern District of Wisconsin on the grounds of diversity jurisdiction.

3. In the Ven Housen Lawsuit, Plaintiff Kimberlee Ven Housen alleges that she purchased a defective Winnebago van, which caused fire, and caused her personal and property damage. The named defendants are RV World, Inc. of Nokomis, Winnebago Industries, Inc. and Mercedes-Benz USA, LLC.

4. In the State Farm Lawsuit, Plaintiff State Farm alleges that its insured, Kimberlee Ven Housen, also a named involuntary plaintiff, purchased a defective Winnebago van that caused fire, and State Farm incurred damages reimbursing Ms. Ven Housen for her loss. The named defendants are Winnebago Industries, Inc. and Mercedes-Benz USA, LLC.

5. Thus, in both lawsuits, Ms. Ven Housen, Winnebago and Mercedes-Benz USA are parties. In addition, the issues in both cases are the exact same (i.e. an allegedly defective Winnebago van that caught fire and caused damage), and pertain to, among other things, a dispute between State Farm and Kimberlee Ven Housen on one side and Winnebago Industries, Mercedes-Benz USA, and RV World, Inc. on the other.

6. In order to preserve judicial resources and legal fees, it makes sense that

the two matters either be consolidated, or alternatively, dismiss the State Farm Lawsuit without prejudice and allow State Farm to move to join the Ven Housen Lawsuit as a Plaintiff, pursuant to Fed.R.Civ.P. 20(a)(1).

Dated this 23rd day of July, 2020.

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